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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/420,321	10/18/1999	LARRY A. WESTERMAN	KLR:7146.044	2633

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DELA TORRE, CRESCELLE N

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 07/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/420,321	WESTERMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Crescelle N dela Torre	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 08 May 2002.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-37 and 39-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-37 and 39-41 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a)  The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

**DETAILED ACTION**

This action is responsive to communications: Amendment, filed on 5/8/02.

This action is final.

Claims 1-37 and 39-41 are pending in this application. Claims 1, 7, 12, 17, 22, 28 and 34 are independent claims. In the Amendment, filed on 5/8/02, claims 1, 5-7, 10-12, 17, 22, 28, and 32-34 were amended and claim 38 was canceled.

The present title of the invention is "Interactive Virtual Browser for Selecting, Scrolling and Rescaling Graphical Representations of Displayed Data" as amended.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
  
2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sciammarella et al (U.S. patent 6,320,599) in view of Kreegar (U.S. patent 5,396,590).

As per claim 1, Sciammarella et al, hereinafter Sciammarella, teach a computer implemented graphical user interface, at figure 1a, comprising a manipulator, with cursor 116, at column 3, lines 10-11, for enabling alteration of a scale of an object, at column 2, lines 15-23, by altering a dimension of a graphic representation of an active region, shown with position indicating marks 124, the dimension being approximately equal to a limit, with zoom-in and zoom-out marks 122, 126, at figure 3, and column 25-44.

However, Sciammarella does not specifically teach that the manipulator interacts directly with the graphic representation to enable alteration.

On the other hand, it is known in the art that a manipulator can interact directly with the graphic representation. For instance, Kreegar teaches direct manipulation of graphic objects using shape control tools, at figure 3 and at column 5, line 56 to column 6, line 18.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to include direct manipulation of objects as in Kreegar in the invention of Sciammarella because it allows a user to select and manipulate a graphic object in different ways without having to activate different modes for different manipulations.

As to claim 2, Sciammarella teaches that the scale of the object is minified when the dimension is approximately equal to a maximum, at figures 5a, 5b, and column 3, line 65 to column 4, line 11.

Regarding claim 3, Sciammarella teaches that the scale of the object is magnified when the dimension is approximately equal to a minimum, at figures 4a, 4b, and column 3, line 45-64.

As per claim 4, Sciammarella shows that the dimension of the graphic representation is a diagonal of a rectangle, with marks 124, at figure 3.

In reference to claim 5, Sciammarella teaches a personal computer, at figure 1a.

As per claim 6, Kreegar describes a handheld electronic device, at column 2, lines 13-14.

3. Claims 7-37 and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gest et al (U.S. patent 5,333,247) in view of Sciammarella et al (U.S. patent 6,320,599). and further in view of KREEGAR...

As per claim 7, Gest et al, hereinafter Gest, teach a computer implemented graphical user interface, at figures 2A-2D, comprising a manipulator, with cursor 18, that enables a user to alter a size of an active region, with box 16, at figure 1C, column 5, lines 45-57, and column 6, lines 43-47, within limits, at column 6, lines 19-24, which describes "dimensions of at least a predetermined minimum value". However, Gest does not specifically teach altering a scale of an object by interaction of the manipulator and the graphic representation having a dimension approximately equal to a limit.

On the other hand, scaling of objects within limits is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second

marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it provides a user with visual feedback of the current display with respect to limits for zoom-in and zoom-out operations.

As to claim 7, neither Gest nor Sciammarella specifically teach that the manipulator interacts directly with the graphic representation to enable alteration.

On the other hand, it is known in the art that a manipulator can interact directly with the graphic representation. For instance, Kreegar teaches direct manipulation of graphic objects using shape control tools, at figure 3 and at column 5, line 56 to column 6, line 18.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to include direct manipulation of objects as in Kreegar in the inventions of Gest and Sciammarella because it allows a user to select and manipulate a graphic object in different ways without having to activate different modes for different manipulations.

Claims 8 and 9 are similar to claims 2 and 3, respectively.

Regarding claim 10, Gest teaches moving the active region relative to the information area by interaction of the cursor and the box, at figures 2A-2D, and column 6, line 48 to column 7, line 24.

As to claim 11, Gest teaches a mouse, at column 10, line 5, and Sciammarella also teaches a mouse, at column 3, lines 10-11.

Regarding claim 12, Gest teaches a computer implemented graphical user interface, at figures 2A-2D, comprising a manipulator, with cursor 18, that enables a user to alter a size of an active region, with box 16, at figure 1C, column 5, lines 45-57, and column 6, lines 43-47. However, Gest does not specifically teach altering a scale of an object.

On the other hand, scaling of objects is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it allows a user to selectively enlarge or reduce display objects.

As to claim 12, neither Gest nor Sciammarella specifically teach that the manipulator interacts directly with the graphic representation to enable alteration.

On the other hand, it is known in the art that a manipulator can interact directly with the graphic representation. For instance, Kreegar teaches direct manipulation of graphic objects using shape control tools, at figure 3 and at column 5, line 56 to column 6, line 18.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to include direct manipulation of objects as in Kreegar in the

inventions of Gest and Sciammarella because it allows a user to select and manipulate a graphic object in different ways without having to activate different modes for different manipulations.

Regarding claim 13, Gest enables a user to move the active region relative to the information area, at figures 2A-2D, and column 6, line 48 to column 7, line 24.

As to claim 14, both Gest and Sciammarella teach the use of a mouse for user selected interactions [see claim 11].

As per claims 15 and 16, Sciammarella teaches zoom-in and zoom-out operations at figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

As to claim 17, Gest teaches the following subject matter:

graphical representation of an active region, with box 16, at figure 1C, and column 5, lines 45-57;

a positioning tool to move an active region relative to the information area, figures 2A-2D, and column 6, line 48 to column 7, line 24; and

a sizing tool to alter a size of the active region, at column 6, lines 43-47, within limits, at column 6, lines 19-24, which describes "dimensions of at least a predetermined minimum value".

However, Gest does not specifically teach altering a scale of an object by interaction of a scaling tool with the graphic representation having a size approximately equal to a limit.

On the other hand, scaling of objects within limits is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second

marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it provides a user with visual feedback of the current display with respect to limits for zoom-in and zoom-out operations.

As per claim 17, neither Gest nor Sciammarella specifically teach that the positioning tool, sizing tool, or scaling tool interact directly with the graphic representation to enable alteration.

On the other hand, it is known in the art that manipulator tools can interact directly with the graphic representation. For instance, Kreegar teaches direct manipulation of graphic objects using shape control tools, at figure 3 and at column 5, line 56 to column 6, line 18.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to include direct manipulation of objects as in Kreegar in the inventions of Gest and Sciammarella because it allows a user to select and manipulate a graphic object in different ways without having to activate different modes for different manipulations.

As to claims 18 and 19, they are respectively similar to claims 15 and 16.

Regarding claims 20 and 21, both Gest and Sciammarella teach the use of a mouse for user selected interactions [see claim 11].

As to claim 22, the first three steps are similar to the first three steps of claim 17. However, Gest does not specifically teach altering a scale of an object using a scaling tool.

On the other hand, scaling of objects is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of Gest because it allows a user to selectively enlarge or reduce display objects.

As per claim 22, neither Gest nor Sciammarella specifically teach that the positioning tool, sizing tool, or scaling tool interact directly with the graphic representation to enable alteration.

On the other hand, it is known in the art that manipulator tools can interact directly with the graphic representation. For instance, Kreegar teaches direct manipulation of graphic objects using shape control tools, at figure 3 and at column 5, line 56 to column 6, line 18.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to include direct manipulation of objects as in Kreegar in the inventions of Gest and Sciammarella because it allows a user to select and manipulate a graphic object in different ways without having to activate different modes for different manipulations.

As per claim 23, Gest teaches that the active region has a rectangular shape, with box 16, at figure 1C.

Regarding claims 24, 25, both Gest and Sciammarella teach the use of a mouse for user selected interactions [see claim 11].

As to claims 26, 27, they are similar to claims 15, 16, respectively.

As per claim 28, Gest teaches:

selecting an active region, at column 5, lines 50-52;

representing the active regions as a graphic, with box 16, at figure 1C, and column 5, lines 45-57;

altering a dimension of the graphic within limits by interaction of a cursor and the graphic, at column 6, lines 43-47, within limits, at column 6, lines 19-24, which describes "dimensions of at least a predetermined minimum value".

However, Gest does not specifically teach altering a scale of an object by interaction of the cursor with the graphic having a dimension approximately equal to a limit.

On the other hand, scaling of objects within limits is known in the art. For instance, Sciammarella teach a zooming scale indicator wherein "first and second marks indicate corresponding limits for enlarging and reducing" at column 2, lines 20-23, figures 4a, 4b, 5a, 5b, and column 3, line 45 to column 4, line 11.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the zooming scale indicator of Sciammarella in the invention of

Gest because it provides a user with visual feedback of the current display with respect to limits for zoom-in and zoom-out operations.

Regarding claim 28, neither Gest nor Sciammarella specifically teach that the manipulator interacts directly with the graphic representation to enable alteration.

On the other hand, it is known in the art that a manipulator can interact directly with the graphic representation. For instance, Kreegar teaches direct manipulation of graphic objects using shape control tools, at figure 3 and at column 5, line 56 to column 6, line 18.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to include direct manipulation of objects as in Kreegar in the inventions of Gest and Sciammarella because it allows a user to select and manipulate a graphic object in different ways without having to activate different modes for different manipulations.

As to claims 29-33, they are respectively similar to claims 2, 3, 10, 5, and 6.

Regarding claims 34-37 and 39-41, they are similar to claims 28, 10, 2, 3, 5, 6, and 11.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-37 and 39-41 have been considered but are moot in view of the new ground(s) of rejection.

Examiner agrees that Sciammarella, when taken alone or in combination with Gest, does not disclose the claim limitations. Rather, the claims are rejected in view of

Sciammarella and Kreegar, or in view of Sciammarella, Gest, and Kreegar. Kreegar teaches direct manipulation of graphic objects wherein "when an object is selected, the user interface of the present invention displays the shape control tools in the proximity of the selected shape" at column 5, lines 61-63, and at figure 3.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crescelle N dela Torre whose telephone number is

(703) 305-9782. The examiner can normally be reached on Monday-Thursday, from 8am-4pm, and on alternate Fridays, from 8am-3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for official communications; (703) 746-7238 for After Final communications; and (703) 746-7240 for non-official or draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

*C. dela Torre*  
CRESCELLE N. DELA TORRE  
PRIMARY EXAMINER